IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1970 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SUPERINTENDENT OF CUSTOMS

Versus

SULEMAN ABDULLA THEAIM & ANOTHER

Appearance:

MR MR SHAH for MR BB NAIK for Petitioner

MR SURESH M SHAH for Respondent No. 1

MR BY MANKAD ASST.PUBLIC PROSECUTOR for Respondent No. 2

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 03/03/2000

ORAL JUDGEMENT

This Special Criminal Application was filed by the Superintendent of Customs, Jamnagar challenging the order dt.20th September, 1990 passed by the learned

Sessions Judge, Jamnagar in Criminal Misc. Application No.355 of 1990 releasing on bail the respondent no.1. Rule was issued on 14th December, 1990 and by way of interim relief, it was directed that if at all the order of the learned Sessions Judge had been implemented and the respondent no.1 had been released on bail, the respondent no.1 shall surrender himself to the learned Chief Judicial Magistrate, Jamnagar who shall take him into judicial custody and detain him until further orders. It appears that the respondent no.1 surrendered himself before the Chief Judicial Magistrate, Jamnagar who took him into judicial custody pursuant to the said order. Thereafter the respondent no.1-accused made an application for discharge and the learned counsel for the respondent no.1 has produced a simple copy of the order dt. 14th March, 1999 passed by the learned Chief Judicial Magistrate, Jamnagar in Criminal Case No. 6973 of 1984 allowing the said application and discharging the respondent no.1. This is not disputed on behalf of the petitioner. In the circumstances, this petition has become infructuous and is accordingly disposed of. Rule discharged. Interim relief stands vacated.

Date:03-03-2000. ------
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